

[24th March 1958]

APPENDIX III.

[Vide item III on page 267 supra.]

REPORT OF THE JOINT SELECT COMMITTEE ON THE
MADRAS CULTIVATING TENANTS PROTECTION
AND PAYMENT OF FAIR RENT (AMENDMENT) BILL,
1958 (L.A. BILL No. 1 OF 1958).

To

THE HON. THE LEGISLATIVE ASSEMBLY,
MADRAS.

The Joint Select Committee appointed to consider the Madras Cultivating Tenants Protection and Payment of Fair Rent (Amendment) Bill, 1958 (L.A. Bill No. 1 of 1958) has the honour to make the following report.

2. The Bill was published in English in an Extraordinary issue of the *Fort St. George Gazette*, dated 12th February 1958 and in Tamil in the *Fort St. George Gazette*, dated the 26th February 1958.

3. The Joint Select Committee was appointed by resolutions of the Legislative Assembly, dated the 14th February 1958 and of the Council, dated the 15th February 1958.

4. The Joint Select Committee met in the Lounge Room, Fort St. George, at 11-30 a.m. on Tuesday, the 4th March 1958 and in the Committee Room, Government Estate, at 10 a.m. on Wednesday, the 5th March 1958 and at 10 a.m., Saturday, the 8th March 1958 and again in the Lounge Room, Fort St. George, at 2-30 p.m. on Friday, the 14th March 1958.

5. At its first meeting on the 4th March 1958, the Hon. Sri M. A. Manickavelu was elected Chairman of the Joint Select Committee.

6. The Joint Select Committee decided to have an exact idea of the peculiar nature of the tenures 'kaiaeruvaramdars' and 'mattuvaramdars' prevailing in parts of the Tiruchirappalli district before taking up the Bill for consideration and determined the points which required further clarification.

7. Extracts from the report of the Member, Board of Revenue, who made a local enquiry on these various points, was read out to the Joint Select Committee by the Chairman at its meeting on the 14th March 1958. The Committee then felt that it was clear that the kaiaeruvaramdar was a person who corresponded more closely to a 'pannaiyal' than to a cultivating tenant and that only the mattuvaramdar had any claim to be treated on a par with the cultivating tenant.

8. The Hon. Sri C. Subramaniam suggested that the Bill may be dropped and a new Bill introduced and that the proposed legislation for kaiaeruvaramdars and mattuvaramdars might be on the following lines:—

(1) That kaiaeruvaramdars are to be treated on a par with 'pannaiyals' and their rights protected as in the Tanjore Pannaiyal Protection Act.

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(2) That small landholders owning 3 acres and less and without any other means of livelihood and who do not pay sales-tax or income-tax are to be completely exempted from the provisions of the Act.

(3) In the case of landholders owning up to 10 acres, they should be entitled to resume lands up to three acres for personal cultivation and lands not so resumed are to be pooled and divided among the mattuvaramdars in case the interests of any of them are prejudicially affected.

(4) In the case of those who own more than 10 acres, mattuvaramdars are to be raised to the status of cultivating tenants with the rights and liabilities of cultivating tenants under the Madras Cultivating Tenants (Payment of Fair Rent) Act, 1956.

(5) Retrospective effect was to be given to the proposed legislation from 1st January 1957.

(6) The terms 'kaiaeruvaramdar' and 'mattuvaramdar' to be defined so as to bring out their status as stated above.

(7) The proposed legislation should be made applicable only to the 28 villages in Tiruchirappalli district where this peculiar tenure is said to be in force.

After some discussion, the Committee recommended, Sri S. M. Annamalai only dissenting, that the present Bill be dropped and fresh legislation be brought in on the lines suggested by the Hon. Sri C. Subramaniam.

The Committee reports accordingly.

9. The Committee decided that it was not necessary to publish the Report.

10. Sri S. M. Annamalai and others have given dissenting minutes which are annexed.

FORT ST. GEORGE, MADRAS-9,

15th March 1958.

M. A. MANICKAVELU,

Chairman.

ANNEXURE.
DISSENTING MINUTES.

I

I am submitting hereunder a note of dissent to the report of the Joint Select Committee on the above Bill [Madras Cultivating Tenants Protection and Payment of Fair Rent (Amendment) Act, 1958].

Even if this Bill is passed, Mattuvaramdars and Kaiaeruvaramdars will not be benefited completely until or unless the principal Acts should be amended as to clear the doubt, i.e., who is a cultivator. Also provision should be made to have lists just as voter lists so as to know in which land the cultivator is cultivating. By these remedies only a cultivator can be benefited and cannot be evicted from the lands.

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These kinds of varamdars are not only in Tiruchirappalli district, but also all over the presidency having different names in each district. So this Act should also be amended so as to be in force in all districts.

However if this Bill is passed some of the abovesaid varamdars who have already proved that they are cultivators but have been evicted on account of their being these kinds of varamdars can be benefited.

There is agitation between these Varamdars and Mirasars in Tiruchirappalli district. Paddy is left in Kalathumedu without partition.

In this critical stage, I highly object to postpone this Bill and allow the Ordinance to lapse as per the decision of the Joint Select Committee.

I also differ from the decision of the Joint Select Committee that a separate Bill be prepared, i.e., bringing the Mattuvaramdars as tenants and Kaiaeruvaramdars as Pannaiyals. My opinion is that Mattuvaramdars and Kaiaeruvaramdars should also be brought as tenants under the Madras Cultivating Tenants (Payment of Fair Rent) Act, 1956 and Madras Cultivating Tenants Protection Act, 1955.

S. M. ANNAMALAI.

II

This is a Bill intended to regularise the Ordinance issued for giving protection for Kaiaeruvaramdars and Mattuvaramdars. This mode of tenancy is prevalent in a large number of villages in the taluks of Kulithalai, Musiri, Tiruchirappalli, Lalgudi and to some extent in Karur in the district of Tiruchirappalli. It is not correct to state that this mode of tenancy is confined to some 28 villages in the district. Further, it is not correct to state that Kaiaeruvaramdars are not tenants. The only difference between Kaiaeruvaramdar and Mattuvaramdar is the supply of bulls. Other factors are common. In our opinion these two kinds of varams are eligible for protection and other benefits under the Madras Cultivating Tenants Protection Act and the Madras Cultivating Tenants (Payment of Fair Rent) Act.

We therefore insist that the present Bill must be passed as it is.

M. KALYANASUNDARAM.
A. R. MARIMUTHU.